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Attorney for Defendant ROBERT BARNES

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:16-cr-0090-APG-GWF
)	
Plaintiff,)	
)	
v.)	<u>STIPULATION TO CONTINUE</u>
)	<u>SENTENCING HEARING</u>
ROBERT W. BARNES,)	(Second Request)
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, Nicholas D. Dickinson, Assistant United States Attorney, counsel for the United States of America, and Daniel J. Albregts, Esq., counsel for defendant ROBERT W. BARNES, that the sentencing in the above-captioned matter currently scheduled for Tuesday, October 25, 2016 be vacated and continued to a date and time convenient to this Court, but no sooner than two (2) weeks.

This stipulation is entered into for the following reasons:

1. The parties continue to work on the restitution figure to be ordered as a condition of the sentence in this case and have nearly completed that task. However, the parties need additional time to complete that task and may very well reach an agreed upon figure for the restitution to be ordered by the Court at the time of the sentencing.

2. The defense has been working with the two potential mitigation witnesses referenced in the prior stipulation but has yet to get finalized statements and determine whether these statements

1 will be used at sentencing given the busy nature of the witnesses' work schedules. The defense has
2 been in touch with them and the additional time requested herein will allow the defense to finalize
3 these interviews and make a determination as to whether the witnesses will be used at sentencing.

4 3. The defendant is out of custody and concurs with this stipulation to continue the
5 sentencing hearing.

6 4. Denial of this request for a continuance could result in a miscarriage of justice.

7 5. This request for a continuance is made in good faith and is not intended to delay the
8 proceedings in this matter.

9 DATED this 18th day of October, 2016.

10 DANIEL G. BOGDEN
United States Attorney

DANIEL J. ALBREGTS, LTD.

11 /s/ Nicholas D. Dickinson
12 NICHOLAS D. DICKINSON
Assistant United States Atty.
13 Counsel for United States

/s/ Daniel J. Albregts
DANIEL J. ALBREGTS, ESQ.
Counsel for Defendant BARNES

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:16-cr-0090-APG-GWF
Plaintiff,)
v.)
ROBERT W. BARNES,)
Defendant.)

ORDER

Based on the pending stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

IT IS HEREBY ORDERED that the sentencing hearing in the above-captioned matter currently scheduled for October 25, 2016, at the hour of 10:30 a.m., be vacated and continued until November 29, 2016 at 10:30 a.m. in Courtroom 6C.

DATED this 19th day of October , 2016.


UNITED STATES DISTRICT JUDGE